

## Several Advertisements concerning the Services and Sufferings of Sir William Courten, and Sir Paul Pyndar, for the Crown of England.

**S**ir William Courten and Sir Paul Pyndar, having furnished the late King CHARLES (of ever Blessed Memory) with divers great sums of Money towards the ordinary charge of the Crown, and other Supplies, upon emergent occasions incumbent upon His said Majesty; more particularly for the Funeral of King James, Relief of the Protestants in France, at Rochel, and the Isle of Ree, Exhibitions to the Queen of Bohemia and her Children, Expeditions into Ireland, and several Disbursements for Diamonds, and other Jewels of the Crown, &c. All lent and advanced before the year 1640. upon several Assignments under the Great Seal of England, on the four intire Subsidies granted in Parliament; The Lord Wentworth's Collections of the Fines and Compositions out of Recusants Estates in the Northern Counties, the Allom-farm, and Sugar-farm, &c. Whereupon there remained 148216 l. sterl. unsatisfied to the Estates of Courten and Pyndar at the Kings most Happy Restauration, as by the Records in the Exchequer appears: Although the greatest part of the said Moneys belonged to Orphans and Widows, lent at Interest, to the said Sir William Courten, and Sir Paul Pyndar.

Several Addresses were made to His Majesty in the year 1661. by the principal Creditors, humbly Praying, that the said Debt might be satisfied, either out of the Arrears and Supers in the Receivers and Collectors hands, together with the small Rents under xx s. per annum, within the Survey of the Exchequer; Or out of the growing Fines and Compositions of Papists Convia: Or otherwise out of the Improved Values of the First Fruits and Tenths of the Dignitaries of the Church, and other Spiritual Promotions exceeding 100 l. per annum, upon moderate Surveys as the Law directs.

These Proposals were thought by the Secretaries of State to be very Just and Easie for his Majesty to pay such a Debt of the Crown, which in Honour and Conscience he was oblig'd to do; Wherefore References were made thereupon to the Lord High Treasurer; and from him, to the Barons of the Exchequer: And from them, to the Auditors, of the Imprest Receivers, and Clerks of the Pipe, to certify the State of the Accounts to the said Barons, who made several Reports to the Lord Treasurer, with their Opinions concerning the Justice of the said Debt; but nothing was effectually done for Relief of the said Creditors, who had spent much Time and Moneys in soliciting after their Satisfaction.

Nevertheless the small Chauntrey Rents, and others, were Sold, to avoid the charge of the Crown in collections, and the Papists indulged by Friends at Court, from Paying any Fines or Compositions; And the Dignitaries of the Church, with the rest of the Clergy excused from any new Surveys upon the improved values of their Estates; upon a pretence of their sufferings; and that the Bishops had been very instrumental in the Kings Restauration, so the Debt still rests in Statu quo, only there is a Reference from His Majestie, dated the 8th of May 1679. Depending before the Lords, Commissioners of the Treasury, upon the Petition of Richard Potwel Esq; and Nathaniel Hill Gent. concerning a Grant for some satisfaction out of the Fines, Forfeitures, or Compositions of Papists convict, on the behalf of themselves and the rest of the Creditors.

**T**hat in contemplation of the particular Service of Sir Paul Pyndar, who had out of his great zeal and Loyalty towards the preservation of the Royal Family, sent several Sums of Money in Gold to Oxford, (by the Hands of Madam Jean Whorewood, yet Living,) in the year 1644. For Transporting of His Majesty, when he was Prince of Wales, and the late Queen his Mother, with their Servants and Goods to Rest in France. His now Majesty was graciously pleased in the year 1664. to Grant an Allowance of Sir Paul Pyndars proportion of Money, advanced with his Partners, upon a contract for the Customs, in the year 1640. that was not imposed; which said allowance by the said Grant, was to be paid upon an Assignment and Callp struck upon the Farm, held by Sir John Wolstenholme, Sir John Haw, Sir Nicholas Crisp, and others, Anno 1667. but was post-poned, and not payed this day of advertisement, although it doth not extend to half the value of the hold sent to Oxford as aforesaid; his now Majesty, and others then present, being lately owned the same.

**T**hat Sir William Courten, at his own proper Costs and Charges, Discovers, Planted and settled the Island of Barbadoes, in the beginning of the late Kings Reign, without any Aid or Assistance from the Crown; and being in the quiet possession thereof, for the space of two years and upwards, having Peopled the said Island with great numbers of English Men, Women and Children, besides Indians there, in several Plantations, (as by the Cashiers and Accomptants of Sir William Courten yet living appears,) James late Earl of Carlisle, under the pretence of a Patent creating him Lord Proprietor of the Caribbee Islands, entred upon the said Island of Barbadoes by force of Arms, and dispossessed the said Sir William Courten, and his Heirs of their legal Right and Propriety, in an Arbitrary and Tyrannical way; causing Sir William Tuston, and the Principal Agents and Factors of Sir William Courten, some to be Shot to Death, and others Banished, contrary to the Laws of God and Nations.

That in all revolutions of time and Government, the Heirs, Executors, Administrators, and Creditors of Sir William Courten and his Son, continually Claimed and appealed for Justice and restitution in this Grand Case of Violence and Oppression, some Persons endeavouring for quieting the possessions, to annex the said Island to the Crown of England; by Act of Parliament, and others to transfer the Legal Intrest of Sir William Courten, to some Foreign Prince or State, in the time of the late Rebellion.

That upon the Kings Restauration to his Crown and Kingdoms, several Debates arising, between the Lord Willoughby of Parham, (clayming a Lease under Carlisle, the pretended Lord Proprietor,) and the Planters that by intrusion had settled themselves upon the said Island, William Courten Esq; the Grandchild, and Heir of Sir William Courten, together with Divers of the Principal Creditors of his Father and Grand-Father, Humbly addressed themselves to the King, by Petition; Praying that His Majesty would be graciously pleased, to interpose by his Prerogative Royal, for their Protection and Relief. Soon after His Majesty declared in Council, that he would not assume any benefit to himself out of the Profits of the said Island, until such satisfaction should be made to the Persons Legally Interested, as shall consist with Equity, and good Conscience. Notwithstanding the four and half per Cent, granted by the general Assembly of Intrudors, (out of all Merchandizes exported,) to the Lord Proprietor aforesaid, in lieu of the old Servile Rents upon every head, was offered to be resigned to the King; which afterwards was done to His Majesty as Lord Proprietor; yet to this day, no Restitution or Reparation hath been made, either by the King, or the Planters, to the Heirs, or Executors, of Sir William Courten, for the Right and Property in the Spoyl; or the Original Costs and Damages, of the first Discovering, Fortifying and Planting the said Island; but the said Outp is let out to Farm to John Stroud Esq; and others for 6000 l. per annum, which is applyed to other uses, that naturally belongs to the Heirs and Creditors of Sir William Courten.

**T**hat several Spoys and Depredations being Committed by the chief Officers belonging to the East-India Company of the Netherlands, upon the Ships and Factories of Sir William Courten, Sir Paul Pynnar, and their Partners in the East-Indias, a particular Agreement was made in a Treaty of Common Alliance between the King of Great Britain, and the States General in the year 1662. That intire satisfaction and reparation should be made in an amicable way, for the two Ships named the Bona-Esperanza, and Henry Bona-Adventura, with their Ladings, wrongfully Seized, and converted to the use of the said East-India Company; which was Earnestly Solicited at the Hague, and Amsterdam, two years together, after the said Treaty; by Orders from the King and Council to Sir George Downing, his Majesties Envoy Extraordinary, who controverted all the Points, and answered all the Objections concerning the same, & in Conferences with the Deputies of the States General, and Mr. Peter Vandam, the Advocate of the East-India Company; Yet nothing could take Effect any further then an offer of 200000 Gildeers, for all the said Spoys and Depredations.

That upon further application to his Majesty, the Debt and Damages for the said Spoys and Depredations, were stated and ascertained upon His Majesties Command, by the Judge of the Admiralty; Whereupon an especial Grant, by Letters Patents, passed the Great Seal of England, the 19th. of May 1665. to Sir Edmond Turnor Knt. and George Carew Esq; their Executors, Administrators, and Assigns, on the behalf of all Persons interested, to Reprize and Recover the said Debt so Liquidated, amounting to the sum of 151612 l. With all Costs and

Damages incident to the recovery thereof. His Majesty Expressly declaring in the said Letters Patents, that the said Grant should continue, and remain Effectual in the Law, for that end and purpose; Notwithstanding any Alliance or Correspondence whatsoever afterwards to be made between the King, and the States General.

The Proprietors and Creditors being numerous, and holding themselves to be secured by the common Law of England, by Virtue of the said Grant, passing of common Right; wherein they were vested with an Interest, coupled with an Authority, to recover the said Debt, as the Law directs. Whereupon a third part thereof was Assigned to John Brown Gent. and John Graham Esq; in the Month of May 1666. under the same Conditions and Limitations, contained in the original Grant, Enrolled in Chancery, with power to recover the same, for the benefit of themselves, and divers other Creditors, mentioned in a schedule thereunto annexed, who delivered up their Bonds accordingly.

Thereupon several small frigats were set forth in the year 1666. to Repaise their proportionable share of the said Debt and Damages; but it being in time of War, several common Clapmiers appeared, so most part of the Ships and Goodstaken, were discharged by the Court of Admiralty, upon account of Flemings, Hamburgers &c. And the rest would not satisfie the Incident Costs and Expences. Wherefore they desisted until a more seasonable opportunity in time of Peace.

Then it happned in the Month of June 1667. that a Treaty of Peace and Common Alliance was concluded at Breda, between the King and the States General; wherein it was mentioned, that all Letters of Marque and Repizals, ought to be comprehended, and made void.

That in the year 1672. upon new Differences between the King and the States General, the said Treaty at Breda was by His Majestie Declared Null and Void; The Proprietors and Creditors then applyed themselves to the King and Council, in this singular Case of the said Ships, for further redress, (being the only matter Liquidated and Established, under the Great Seal of England,) Whereupon His Majesty also declared, that he would insist upon intire Satisfaction and Reparation; and gave Instructions to his Embassadors and Plenipotentiaries accordingly, reciting the Debt stated, and the Letters Patents aforesaid; Alarming also, that in this case he would take care to Protea his Subjects in their just Rights, as well as to assist them in the recovery thereof.

That in the year 1673. A Peace and Common Alliance was concluded at London, between the King and the States General, upon an agreement made (amongst other things that 800000 Pattacoons, should be payed to his Majesty, at four equal payments, in four years; Leaving the Debt and Damages of the Bona-Esperanza, and Henry Bona-Adventura, still open at large, without any mention thereof, in the said Treaty (since violated by the Hollanders,) The Ministers of State, forgetting the Honour and Interest of the King and Kingdom, Confirmed the Treaty at Breda, (lately declared absolutely void) that was attended with the Dishonourable circumstances of Chatham, where the Kings Ships were Burnt, (during that Treaty) by an ungrateful People, that live upon the Spoiles of all Nations.

Then the Proprietors and Creditors concerned in the Loss and Damages of the said Ships; caused new Addresses to be made at the Hague, Amsterdam, and White-Hall, with Protests, that if some considerable part of the Pattacoons were not payd to the Proprietors and Creditors towards their satisfaction, they should be necessitated suddenly to put the said Letters Patents in Execution for Repizals, according to the Laws and Statutes of England.

Yet nevertheless the first fourth part of the said Pattacoons, were presently Assigned to Alderman Backwel for other Services, and the three remaining parts to the Prince of Orange, (yet unsatisfied by the States) upon pretence of old Debts due to his Father and Grand-Father, from the late King of England; and no part of the said Pattacoons for the Proprietors and Creditors, concern'd in the Bona-Esperanza, and Bona-Adventura, that had ushered in so many Millions of Pounds Sterling, for His Majesties service, and the good fortune of the said Prince of Orange, by the Benefit and Advantage of all the English Blood and Treasure spent in restoring him to the Honours, Profits, and Offices of his Ancestors, as Statholder, &c.

That in the Month of September 1676. The States of Holland were so presumptuous upon the request of Jacob Pergens of Amsterdam, (a free Denizen of England,) to send their Express Order, in an Arbitrary way, to the ordinary Courts of Justice in Amsterdam, and the Supreme Court of Judicature at the Hague, where several Actions were depending, and ready for Sentences against the said Jacob Pergens



fergens, and the Heirs, and Executors of Peter Boudaen; to stop the course of Law and Equity, (against all Sense and Reason,) upon Civil Contracts, Obligations, Bills of Exchange, and Merchants Accounts, for Goods and Monies trusted into their Hands by Sir William Courten, Sir Paul Pyndar, and William Courten Esq; to the value of 134000 l. Sterling. Prohibiting the Judges of the said respective Courts, from all further proceedings at Law, or to give any Judgement in the said Causes, upon pretence that all particular and Personal actions whatsoever, were discharged and released by the Treaties concluded at Breda, and at London, between the King and the States General.

The Persons interested and oppressed by such apparent breaches of the Laws, of Common Amity and Alliance; first, appealed from the said Arbitrary Order, to the States General; who answered, that they could not intermeddle therein, the States of Holland being Sovereigns in their own Province.

In the Month of July 1677. the Proprietors and Creditors appealed by their Petition to the King and Council, for relief against the States of Holland, by Reprizals, if Justice could not be obtained, by His Majesties Letters of Recommendation to the said States; For which Letters they Humbly Prayed; Whereupon two Orders of Council were made the 24 of July, that the Complainants should be heard on the 10th. of October 1677. But to this day no Hearing, or other Relief whatsoever, could be obtained.

About the Month of April 1680. The Creditors under Mr. Brownes Assignment, upon the account of the Bona Esperanza; prepared to fit out three Ships under the Command of Captain Compton Gwyther, and others, to put the said Letters of Reprizals in Execution. Whereupon Several Orders from the Council Table, and also from the Lords of the Admiralty, issued forth in an Arbitrary and Extrajudicial way forceably to obstruct their due Proceedings, calling none of the persons concerned, judicially before them, by Scire Facias, or any other legal Process, to answer for themselves, or to shew cause why they ought not to have the benefit of the Law, or a compensation in lieu thereof. Wherefore to prevent a failure of Justice, and to vindicate the said Cause from being made a Prejudice of dangerous consequence to the Rights, Liberties and Properties of the Subjects of England: The said Captain Gwyther, Commander of the Ship named the George Bona-Adventura, being ready fitted and entered in the Admiralty, proceeded upon his intended Voyage, others purposing to follow him, as Wind and Weather shall serve, to bring home the Effects of the Bona Esperanza, under the Protection of the Laws, towards the Relief of many hundred Families interested therein, that want their Bread, which is eaten by Strangers and others, that live upon the Spoils and Ruines of so many Orphans and Widows, that cries aloud to the Heavens for Justice and Restitution.

The Debts incumbent upon the Crown, —————	} 148216.
The Debts upon the Bardaboes. ———	
The Debts incumbent upon the East-India Company of the Netherlands. ———	} 151612.
The Debts standing out upon Civil Actions in Holland and Zealand. —————	
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*ius permanent semper nec unquam mutatur.*

If any Person desires to be more particularly informed in any of the said Cases, he may be satisfied in the whole matters of Fact at large, in a Book Intituled, Fraud and Oppression, Detected and Arraigned; at Mr. George Downes his Shop, at the three Flower de Lucies over against St. Dunstons Church in Fleet-street. And Mr. Samuel Carr Bookseller, at the Kings Head in St. Pauls Church Yard.

Recollect. fideliter ex Originalibus, per Georg: Carew Ar. Excudebat Octob. 21. 1680.